

COUNT I

Declaratory Judgment of Non-Infringement of the '041 Patent

65. Walker Digital incorporates paragraphs 1-44 of the Complaint, and paragraphs 60-64 and the Affirmative Defense of this Answer as though fully set forth herein.

66. Admitted.

67. Admitted, except Walker Digital denies that Microsoft has any rights regarding the '041 Patent.

68. Denied.

COUNT II

Declaratory Judgment of Invalidity and/or Unenforceability of the '041 Patent

69. Walker Digital incorporates paragraphs 1-44 of the Complaint, and paragraphs 60-64 and the Affirmative Defense of this Answer as though fully set forth herein.

70. Denied.

71. Denied.

COUNT III

Declaratory Judgment of Non-Infringement of the '866 Patent

72. Walker Digital incorporates paragraphs 1-44 of the Complaint, and paragraphs 60-64 and the Affirmative Defense of this Answer as though fully set forth herein.

73. Admitted.

74. Admitted, except Walker Digital denies that Microsoft has any rights regarding the '866 Patent.

75. Denied.

COUNT IV

Declaratory Judgment of Invalidity and/or Unenforceability of the '866 Patent

76. Walker Digital incorporates paragraphs 1-44 of the Complaint, and paragraphs 60-64 and the Affirmative Defense of this Answer as though fully set forth herein.

77. Denied.

78. Denied.

EXCEPTIONAL CASE

79. Denied.

PRAYER FOR RELIEF

Walker Digital denies that Microsoft is entitled to any relief requested in its Prayer for Relief.

AFFIRMATIVE DEFENSE

Walker Digital asserts the following defense and reserves the right to amend its Answer as new information becomes available. The listing of any defense below shall not be construed as an admission that Walker Digital bears the burden of proof as to such defense:

FIRST DEFENSE

The Counterclaims fail to state a claim upon which relief may be granted.

PRAYER FOR RELIEF

WHEREFORE, Walker Digital demands the following relief:

- (i) Judgment in favor of Walker Digital;
- (ii) Judgment dismissing Microsoft's Counterclaims
with prejudice;
- (iii) Such other and further relief as the Court deems just and equitable.

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BAYARD, P.A.

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